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**JAN 23 2006**

**OFFICE OF PETITIONS**

In re Application of  
Singh, et al.  
Application No. 10/033,038  
Filed: 2 January, 2002  
Attorney Docket No. 50001.2063

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ON PETITION

This is a decision on the petition filed on 28 July, 2002, under 37 C.F.R. §1.47(a), but was not received into the Office of Petitions until this writing.

**NOTES:** Upon receipt and review of this matter, the Office of Petitions undertook an inquiry to identify current representation of/in this matter and learned from former Counsel Arthur Navarro and present Counsel John Han, that prosecution had been brought “in house” by the Assignee.

However, as of this writing the record is silent as to these events, and there is no indication that there has been a change to the empowerment to prosecute the instant application. If Petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation must be submitted. A courtesy copy of this decision will be mailed to Petitioner. **However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.**

Further, it appears that there has been no effort by Counsel to

inquire as to the status of this matter or as to the delay in addressing the instant petition since the petition was filed in July 2002.

Counsel are reminded that Status Inquiry filed of record at six-month intervals may assist to evidence the Applicant's diligence to the prosecution of the instant matter.

For the reasons set forth below, the petition under 37 C.F.R. §1.47(a) is **GRANTED**.

### BACKGROUND

The record indicates:

- the instant application was filed on 2 January, 2002, without, *inter alia*, a fully executed oath/declaration;
- on 31 January, 2002, the Office mailed a Notice of Missing Parts indicating, *inter alia*, that a fully executed oath/declaration was required within two months;
- on 28 July, 2002, Petitioner Arthur Navarro (Reg. No. 40,744) filed the original petition and fee (and request and fee for extension of time) with, *inter alia*, a statement by William D. Kolb (apparently not registered to practice before the Office), identified as Legal Counsel and Secretary of the entity averred to be Assignee, and Mary Bensel, identified as paralegal to Petitioner, along with an oath/declaration containing the signature of named co-inventor Abishek Ranjan Singh (Mr. Singh) (for himself and on behalf of) but without the signature of named non-signing co-inventor Vishnu Natchu (Mr. Natchu), and an averment that Mr. Natchu's signature could not be obtained on the oath/declaration and averring that Mr. Natchu was presented with a copy of the entire application (description, claims, abstract, drawings)—supplemented on 19 January, 2006, with the letter of transmittal in support of that averment—and setting forth his then current mailing address, along with a copy of the Assignment averred to have been executed by Mr. Natchu.

Lastly, Petitioner has submitted a declaration in compliance with 37 C.F.R. §1.63 and §1.64 and Petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(a).

This application hereby is **ACCORDED status under 37 C.F.R. §1.47(a)**.

As provided under 37 C.F.R. §1.47(a), the Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition.

Notice of the filing of this application also will be published in the Official Gazette.

This file is released to the OIPE for further processing before being forwarded for substantive examination in due course.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3214.



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cc:

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